

**UTAH STATE FIRE PREVENTION BOARD  
MARCH 11, 2014 MEETING MINUTES  
PENDING BOARD APPROVAL**

**BOARD MEMBERS PRESENT**

Dennis Strong  
Vincent A. Newberg  
Pete Hackford  
Craig Humphreys  
Eric Miller  
Jason Poulsen  
Robert B. Stoker  
Attorney Kevin Bolander

Board Chair  
Board Vice Chair  
Board Member  
Board Member  
Board Member  
Board Member  
Board Member  
Assistant Attorney General

**BOARD MEMBERS NOT PRESENT**

Brian Cottam

Board Member

**STAFF PRESENT**

Coy Porter  
Ted Black  
Mark Burton  
Richard Gee  
Monica Joffs  
Deanne Mousley  
Kim Passey  
Stan Robins  
Kelly Snow

State Fire Marshal  
Chief Deputy State Fire Marshal  
State Fire Marshal Office  
State Fire Marshal Office  
State Fire Marshal – Board Secretary  
State Fire Marshal Office  
State Fire Marshal Office  
State Fire Marshal Office  
State Fire Marshal Office

**PRESENT**

Many members of the public and the fire service were in attendance at this meeting. The attendance log is kept with the full record of the meeting, recording and all other related paperwork.

**Item #1** on the agenda, Board meeting called to order by Fire Prevention Board Chairman Dennis Strong. The meeting started at 8:30 A.M., at the South Salt Lake City Hall, Council Chambers.

**Item #2** on the agenda was the approval of the November 12, 2013 Fire Prevention Board meeting minutes. Motion was made by Board Member Craig Humphreys to approve the minutes as written, motion seconded by Board Member Eric Miller, motion carried unanimously.

**Item #3** on the agenda was a report to the Board by Chief Deputy State Fire Marshal Ted Black

concerning the status of appointees to the Board and the recent change affecting Board member Rick Bailey, representing city/county officials. Chief Deputy Black stated that there are names that have been submitted for approval by the governor to fill the vacant architect and Fireman's Association Board positions on the Board. In addition, Board Member Rick Bailey's position with San Juan County has been eliminated and he has since retired. Thus the Board position of 'government official representative' will need to be filled.

**Item #4** on the agenda was Report to the Board by Chief Deputy State Fire Marshal Ted Black concerning the outcome of complaints against the Dixie Fire Extinguisher business in St. George, the sale of the company and a subsequent issue of continued service and tagging. Chief Deputy Black stated that several weeks after Dixie Fire Extinguisher had been sold, tags from the previous concern were continuing to be found as being issued. A cease and desist order was issued to the company and former owner and all of the stickers and tags have been confiscated from him and destroyed and he was informed that he is not licensed, not insured and does not have the authority to be doing that. Chief Deputy Black stated that the individual that bought Dixie Fire was really just looking to acquire a contact list so no further stickers or tags should be seen from "Dixie Fire Extinguisher". He stated that this industry is extremely competitive and reports had been made to the State Fire Marshal's office by other companies about Dixie Fire.

**Item #5** on the agenda was Report to the Board by State Fire Marshal Coy D. Porter, concerning bills and the 2014 legislative session. As this issue is currently a very dynamic process and that the Board will be meeting with only two days left in the Legislative session, a handout will be provided listing the current status of bills. State Fire Marshal Porter stated that he would review the current bills most relevant to the Board.

SB 21: State Construction Code Amendments – Sen. Dayton - passed both houses and is waiting for the Governor's signature. This bill allowed for a farmer to build a stand to sell produce seasonally without having to have a permit. The original bill was to keep the maximum square footage at 300 square feet for the inside finish. By the end of the negotiations through committee, the maximum square footage is now 1000 square feet. However, if any electrical, heating or plumbing is put in, they will have to have those buildings permitted and inspected.

SB 24: Amendment to Procurement Code Exemptions – Sen. Dayton – passed both houses. Last year State Finance made a ruling for the use of wildland purchases by a grant that's done through forestry fire and state lands as well as the State Fire Marshal's office, that they could no longer purchase through the out of that grant money sole sourced through the GSA or the National Fire Academy. This was unfortunate because this is where the suppliers buy it so departments were having to buy supplies from a third party, thus increasing the costs. Since this bill has passed, this will now allow departments to buy directly from GSA.

SB 58: Carbon Monoxide Detection Amendments – Sen. Dabakis – passed Senate, House. This bill ended up with a fiscal note of just under \$1,000,000 plus it states that there may be additional electrical and labor costs. There are some that may be able to add a detector to their current newer systems but many schools do not have systems that would be compatible to do this. It's not as simple as adding a standard dual smoke/carbon monoxide detector as some schools have already done. The detector needs to be monitored otherwise it will not do any good. We have asked the senator to include some kind of timeline so that the schools will know how much time

they have to get their budget together, etc. The senator just wanted to push the bill through as is for now, so it may be necessary to have the Board revisit this issue once it has been signed into law by the Governor in order to determine a timeframe for enforcement of this. This could end up being fairly costly for some of the schools depending on their existing systems and compatibility issues. State Fire Marshal Porter stated that he thinks it may take a couple of budget cycles for schools to be able to afford to upgrade their systems.

1<sup>st</sup> Sub HB 116: School Construction Modification – Rep. Cunningham – This has passed the House and is now sitting in Senate Rules. Originally this had some strong language that gave the Division of Facilities and Construction Management \$350,000 to develop a set of standards for the construction of schools. It was later discovered that the Office of Education has a 286 page book on that very subject. So it's changed now that if the State Superintendent so chooses he may consult DFCM and ask them to give input on standards. This may or may not get passed the Senate but they still have a lot of bills to work through and there are only two days left in the session.

2<sup>nd</sup> Sub HB 245: State Fire Code Amendments – Rep. Dunnigan – Passed House and Senate. This bill originally dealt with building sleeping cabins for girls' camps. However, since this bill involves State Fire Code Amendments, the Salt Lake County Commissioners asked if they could get permission to do fireworks and ignition source restrictions for the townships that they have jurisdiction over in this bill as well. This would include Kearns, Millcreek, Magna, etc. as they have chosen not to be incorporated and allow the county council to govern them. The current law allowed cities and their governing bodies to pass restrictive measures regarding fireworks and ignition sources but it did not allow counties other than their fire warden and Salt Lake County doesn't have a fire warden. The language of the bill was modified to include this change and to align the fire code with the building code.

1<sup>st</sup> Sub SB 184: Local Government Inspection Amendments – Sen. Stuart Adams, Rep. Daniel McCay. This bill dealt with the Fees collected by a town/city/county for the inspection of a construction project shall ensure a prompt inspection. If an inspection cannot be provided within 3 business days, the city/county shall promptly engage an independent inspector with fees from the applicant. For towns this shall be done in a 'reasonable timeframe'. Business officials felt that this was a reasonable time frame and for communities like South Jordan, perhaps it would be a push to increase some staffing to meet this requirement. This has passed the Senate and is on the House consent calendar at #7.

1<sup>st</sup> Sub HB 326: State Construction Code Revisions – Rep. Spendlove – Passed the House and is in Senate rules. This bill deals with solar panels. This bill deletes parts of Section 15 in the International Building Code which refers to roof and fire ratings and fire classifications to UL 1703. They wanted to insure that the solar panels would have a roof and fire rating at or above the required roof ratings. The issue got bogged because it's the assembly that holds the panels to the roof that also has to have the same rating.

HB 328: Construction and Fire Code Amendments – Rep. Noel – Sent to Interim Study. This issue was also brought forward by officials from Kane County. This bill allows the county legislative body in counties of the 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> class to modify the fire and building code within their counties. Although this is a minimum standard, this bill is asking to allow the counties to

go below the minimum standard. There have been several meetings with them over the last year. One of the commissioners felt that as long as a rural building had a notation on the title that the building had never had a permit or been inspected, he would be okay with that. That would impact any future sale of those buildings. All sides agreed 10 days ago to go to interim committee. The Fire Marshal's office will be working with some building officials, architects and commissioners to see how this issue can be resolved.

SB 195: Appropriations Bill – passed House and Senate and signed by Governor. They have appropriated in the budget from the General Fund in the Restricted Account to the Fire Academy Support fund \$6,263,200 and then also from the Restricted Fund, Firefighter Support Account \$132,000. And, to the Fire Marshal's Office, Fire Operations and Firefighter training were both funded. One is for approximately \$2.7 million and the other for approximately \$4 million. Part of that is for the State Fire Marshal's Office budget, and part of it is for the Props and funding for the Fire Academy for some increases in costs for pay raises and insurance. Those funds will become available July 1<sup>st</sup>.

Board Chair Dennis Strong asked what the 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> class counties are. State Fire Marshal Porter replied that counties were divided by class according to population. 1<sup>st</sup> class has the largest population (over 700,000) which is Salt Lake County. There are four counties of the 2<sup>nd</sup> class which include Utah, Davis, Weber, and Washington. The smaller counties fall into the categories of 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> class.

**Item #6** on the agenda was Old Business. There was no old business.

**Item #7** on the agenda was New Business. State Fire Marshal Porter updated the Board regarding the progress of State Fire Marshal's Office LP Gas Inspector Mat Sacco's training at POST. This is part of looking forward and doing some succession planning in the Fire Marshal's Office and looking to get him up to speed on investigations. In addition, State Fire Marshal Porter informed the Board regarding the upcoming retirement on May 1<sup>st</sup> of State Fire Marshal's Office HAZMAT training section instructor Howard Lincoln after 10 years of service with the Department of Public Safety. Thus the office will be posting a Trainer III position soon to fill that vacancy.

**Item #8** on the agenda was that the next Board Meeting will be on May 13, 2014 at the South Salt Lake City Hall Council Chambers starting at 8:30 A.M. Motion was made to adjourn the meeting by Board Member Humphreys, motion was seconded by Board Member Eric Miller, the meeting was adjourned.